

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

JAMES F. MCKINNON, ADMINISTRATOR, )  
OF THE ESTATE OF YVONNE T. MCKINNON, )  
AND JAMES F. MCKINNON, INDIVIDUALLY, )

Plaintiff, )

v. )

PHILLIPA HARRIS AND RUSSELL ALGREN, )

Defendants. )

Civil No. 1:05-CV-93-JAW

**ORDER DENYING PLAINTIFF'S MOTION FOR  
RECONSIDERATION OR, IN THE ALTERNATIVE,  
CERTIFICATION OF THE ISSUE OF ENHANCED DAMAGES**

On September 21, 2005, this Court issued a decision, granting Phillipa Harris and Russell Algren's Motion for Judgment on the Pleadings to the extent Count I of the Special Declaration claimed enhanced compensatory damages. On September 30, 2005, Mr. McKinnon filed a Motion for Reconsideration or, in the Alternative, Certification of the Issue of Enhanced Damages in connection with this Court's September 21, 2005, Order. Ms. Harris and Mr. Algren objected to Mr. McKinnon's Motion.

This Court DENIES the Motion for Reconsideration or, in the Alternative, Certification of the Issue of Enhanced Damages.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
UNITED STATES DISTRICT JUDGE

Dated this 18th day of October, 2005